

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

ROBERT PAMPLIN,)	
)	Civil Action No. 10 - 227
Plaintiff,)	
)	Chief Magistrate Judge Lisa Pupo Lenihan
v.)	
)	ECF No. 32
CORRECTIONS OFFICER ANDY)	
COULTER, CO BRODY, and)	
WARDEN RAMON RUSTIN,)	
Defendants.		

ORDER

IT IS ORDERED that the Motion for Summary Judgment (ECF No. 32) filed by Defendants Coulter and Brody is **GRANTED IN PART** and **DENIED IN PART**. The Motion is granted with regards to Plaintiff's excessive force claim against both Defendants involving the manner in which he was escorted back to the DHU. The Motion is also granted as to Plaintiff's claims against both Defendants in their official capacity. The Motion is denied in all other respects. As consistent with the Court's Memorandum Opinion dated June 1, 2012, Plaintiff's claims currently preserved for trial are as follows: (1) excessive force claim against Defendant Coulter; (2) failure to intervene against Defendant Brody; (3) assault and battery under Pennsylvania state law against Defendants Coulter and Brody, and (4) intentional infliction of emotional distress under Pennsylvania state law against Defendants Coulter and Brody.

Dated: June 4, 2012

/s/ Lisa Pupo Lenihan

Lisa Pupo Lenihan
Chief United States Magistrate Judge

cc: Counsel of record.